

Department of Health
Notice of Rulemaking Hearing
Board of Examiners in Psychology
Division of Health Related Boards

There will be a hearing before the Tennessee Board of Examiners in Psychology to consider the promulgation of amendments to rules and repeal of rules pursuant to T.C.A. §§ 4-5-202, 4-5-204, and 63-11-104. The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-204 and will take place in the Tennessee B Room of the Cordell Hull Building located at 425 Fifth Avenue North, Nashville, TN at 2:30 p.m. (CDT) on the 21st day of June, 2006.

Any individuals with disabilities who wish to participate in these proceedings (review these filings) should contact the Department of Health, Division of Health Related Boards to discuss any auxiliary aids or services needed to facilitate such participation or review. Such initial contact may be made no less than ten (10) days prior to the scheduled meeting date (the date such party intends to review such filings), to allow time for the Division to determine how it may reasonably provide such aid or service. Initial contact may be made with the ADA Coordinator at the Division of Health Related Boards, First Floor, Cordell Hull Building, 425 Fifth Avenue North, Nashville, TN 37247-1010, (615) 532-4397.

For a copy of the entire text of this notice of rulemaking hearing contact:

Jerry Kosten, Regulations Manager, Division of Health Related Boards, 425 Fifth Avenue North, First Floor, Cordell Hull Building, Nashville, TN 37247-1010, (615) 532-4397.

Substance of Proposed Rules

Amendments

Rule 1180-1-.03, Fees, is amended by deleting subparagraph (2) (f) in its entirety and substituting instead the following language, so that as amended, the new subparagraph (2) (f) shall read:

(2) (f) Ethics and Jurisprudence Re-Examination Fee – A non-refundable fee to be paid when applying for initial licensure.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-11-104, and 63-11-209.

Rule 1180-1-.03, Fees, is amended by inserting the following language as new subparagraphs (1) (e) and (2) (g), and renumbering the remaining subparagraphs accordingly:

(1) (e) Ethics and Jurisprudence Re-Examination \$100.00

(2) (g) Ethics and Jurisprudence Re-Examination Fee – A non-refundable fee to be paid each time an applicant retakes the Board’s Ethics and Jurisprudence Examination.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-11-104, and 63-11-209.

Rule 1180-1-.14, Board Meetings, Officers, Consultants, Records and Declaratory Orders, is amended by adding the following language as new paragraph (8):

(8) Reconsiderations and Stays. The Board authorizes the member who chaired the Board for a contested case to be the agency member to make the decisions authorized pursuant to rule 1360-4-1-.18 regarding petitions for reconsiderations and stays in that case.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-11-104, 63-11-215, and 63-11-216.

Rule 1180-2-.04, Examinations, is amended by deleting subparagraphs (2) (a), (2) (b), (2) (d) and (5) (b) in their entirety and substituting instead the following language, so that as amended, the new subparagraphs (2) (a), (2) (b), (2) (d) and (5) (b) shall read:

(2) (a) The Board shall mail a registration form to applicants for licensure who have paid all applicable fees required by Rule 1180-1-.03, and who have successfully completed all requirements for licensure except for successful completion of the ethics and jurisprudence examination.

(2) (b) Upon receiving the registration form, the applicant shall contact the Board’s administrative office and schedule a time to take the ethics and jurisprudence examination.

1. The examination test site is the Board’s administrative office.

2. The applicant shall bring the registration form and photo identification to the examination.

3. The examination shall be completed in two (2) hours or less.

(2) (d) The Board shall provide copies of the applicable statutes, regulations, and the “Ethical Standards” for use during the examination. No other copies may be used during the examination. Information on how to acquire copies of the applicable statutes, regulations, and the “Ethical Standards” for study purposes is available upon request from the Board’s administrative office.

(5) (b) If the Board determines that the applicant has failed to successfully complete the ethics and jurisprudence examination, the applicant will be mailed another registration form.

1. Upon receiving the registration form to retake the examination, the applicant shall contact the Board's administrative office and schedule a time and location to retake the ethics and jurisprudence examination.
2. The applicant shall mail the registration form and the Ethics and Jurisprudence Re-Examination Fee, as provided in Rule 1180-1-.03, to the Board's administrative office.
3. The examination test site is the Board's administrative office.
4. The applicant shall bring photo identification to the examination.
5. The examination shall be completed in two (2) hours or less.
6. The applicant must continue to retake the examination until it has been successfully completed before the licensure application will be deemed complete and presented to the Board for consideration.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-11-104, 63-11-208, 63-11-209, 63-11-210, and 63-11-211.

Rule 1180-3-.02, Qualifications for Licensure, is amended by deleting the catchline in its entirety and substituting instead the following language, and is further amended by deleting the language of the rule in its entirety and substituting instead the following language, so that as amended, the new catchline, the new introductory language, and the new paragraphs (1) and (2) shall read:

1180-3-.02 Qualifications for Upgrade. To become licensed as a Senior Psychological Examiner, completion of one (1) of the following requirements is necessary:

- (1) Licensed as a Psychological Examiner prior to July 1, 1991, and rendering health-related clinical activities or services.
- (2) Licensed as a Psychological Examiner after June 30, 1991, and rendering health-related clinical activities or services; and
 - (a) Completion of five (5) years of applied experience from the date of original licensure or from the date of issuance of a temporary permit; and
 - (b) Completion of two hundred (200) hours of post-licensure continuing education, as provided in Rule 1180-1-.08, including documentation of completion of forty-five (45) Type I hours, forty-five (45) Type I or II hours, and a log of the one hundred-ten (110) Type I, II, or III hours. The log of Type I, II, or III

continuing education should include type of activity, nature of the training, and number of hours assigned to specific activity.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-11-104, 63-11-201, and 63-11-202.

Rule 1180-3-.03, Procedures for Licensure, is amended by deleting the catchline in its entirety and substituting instead the following language, and is further amended by deleting the language of the rule in its entirety and substituting instead the following language, so that as amended, the new catchline and the new paragraphs (1) and (2) shall read:

1180-3-.03 Procedures for Upgrade.

- (1) To become licensed as a Senior Psychological Examiner in Tennessee, a person who was licensed as a Psychological Examiner prior to July 1, 1991 must submit a written request for application to be licensed as a Senior Psychological Examiner.
 - (a) The written request and the subsequent application will be accepted throughout the year.
 - (b) When necessary, all required documents shall be translated into English and the translation and original document certified as to authenticity by the issuing source. Both versions must be submitted to the Board's administrative office.
- (2) To become licensed as a Senior Psychological Examiner in Tennessee, a person who was licensed as a Psychological Examiner after June 30, 1991 must comply with the following procedures and requirements:
 - (a) A Senior Psychological Examiner application form shall be requested from the Board's administrative office or downloaded from the Department of Health's website, and
 - (b) Applications will be accepted throughout the year, and
 - (c) The applicant shall complete and have notarized, as part of the application, a Board-provided document attesting to the rendering of health-related clinical activities or services as a Psychological Examiner for five (5) years under supervision with names of the supervisor(s) provided; and
 - (d) The applicant shall provide verification of completion of two hundred (200) hours of post-licensure continuing education, as provided in Rule 1180-3-.02 (2) (b); and

- (e) When necessary, all required documents shall be translated into English and the translation and original document certified as to authenticity by the issuing source. Both versions must be submitted to the Board's administrative office.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-11-104, 63-11-201, and 63-11-202.

Repeals

Rule 1180-3-.04, Examinations, is repealed.

Rule 1180-3-.05, Temporary License, is repealed.

Authority: T.C.A. §§ 4-5-202, 4-5-204, and 63-11-104.

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Contact who can answer questions concerning this notice of rulemaking hearing, technical contact for disk acquisition, and person who will approve final copy for publication: Jerry Kosten, Regulations Manager, Division of Health Related Boards, First Floor, Cordell Hull Building, 425 Fifth Avenue North, Nashville, TN 37247-1010 615-532-4397.

I certify that this is an accurate and complete representation of the intent and scope of rulemaking proposed by the Tennessee Board of Examiners in Psychology.

Robbie H. Bell, Director
Division of Health Related Boards

Subscribed and sworn to before me this the 19th day of April, 2006.

Notary Public

My commission expires on the 20th day of March, 2010.

The notice of rulemaking set out herein was properly filed in the Department of State on the ____ day of _____, 2006.

Riley C. Darnell
Secretary of State

By: _____